

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

This title was enacted by act June 25, 1948, ch. 645, 62 Stat. 683

TITLE REFERRED TO IN OTHER TITLES

This title is referred to in title 42 section 6263; title 48 section 1694.

PART I—CRIMES

Chap.		Sec.
110.	Sexual Exploitation of Children	2251
111.	Trafficking in Contraband Cigarettes...	2311

AMENDMENTS

1978—Pub. L. 95-575, § 2, Nov. 2, 1978, 92 Stat. 2465, added item 114.

Pub. L. 95-225, § 2(b), Feb. 6, 1978, 92 Stat. 8, added item 110.

CHAPTER 1—GENERAL PROVISIONS

EXECUTIVE ORDER NO. 11534

Ex. Ord. No. 11534, June 4, 1970, 35 F.R. 8865, which related to the National Council on Organized Crime, was revoked by Ex. Ord. No. 12110, Dec. 28, 1978, 44 F.R. 1069, formerly set out as a note under section 14 of the Federal Advisory Committee Act in the Appendix to Title 5, Government Organization and Employees.

§ 5. United States defined

REFERENCES IN TEXT

For definition of Canal Zone, referred to in text, see section 3602(b) of Title 22, Foreign Relations and Intercourse.

§ 8. Obligation or other security of the United States defined

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 7 section 2024; title 49 section 787.

§ 14. Applicability to Canal Zone; definition

REFERENCES IN TEXT

For definition of Canal Zone and Canal Zone Code, referred to in text, see sections 3602(b) and 3602 note of Title 22, Foreign Relations and Intercourse.

CHAPTER 3—ANIMALS, BIRDS, FISH, AND PLANTS

§ 42. Importation or shipment of injurious mammals, birds, fish (including mollusks and crustacea), amphibia, and reptiles; permits, specimens for museums; regulations

EXOTIC ORGANISMS

For provisions relating to restrictions on the introduction of exotic organisms into natural ecosystems of the United States, see Ex. Ord. No. 11987, May 24, 1977, 42 F.R. 26949, set out as a note under section 4321 of Title 42, The Public Health and Welfare.

CHAPTER 7—ASSAULT

§ 111. Assaulting, resisting, or impeding certain officers or employees

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 7 sections 84, 87c; title 16 section 742t; title 22 section 2667; title 42 sections 2000e-13, 2283.

§ 112. Protection of foreign officials, official guests, and internationally protected persons

[See main edition for text of (a) to (d)]

(e) If the victim of an offense under subsection (a) is an internationally protected person, the United States may exercise jurisdiction over the offense if the alleged offender is present within the United States, irrespective of the place where the offense was committed or the nationality of the victim or the alleged offender. As used in this subsection, the United States includes all areas under the jurisdiction of the United States including any of the places within the provisions of sections 5 and 7 of this title and section 101(38) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1301(38)).

[See main edition for text of (f)]

(As amended Nov. 9, 1977, Pub. L. 95-163, § 17(b)(1), 91 Stat. 1286; Oct. 24, 1978, Pub. L. 95-504, § 2(b), 92 Stat. 1705.)

AMENDMENTS

1978—Subsec. (e). Pub. L. 95-504 substituted reference to section 101(38) of the Federal Aviation Act of 1958 for reference to section 101(35) of such Act.

1977—Subsec. (e). Pub. L. 95-163 substituted reference to section 101(35) of the Federal Aviation Act of 1958 for reference to section 101(34) of such Act.

CHAPTER 9—BANKRUPTCY

Sec.	
151.	Definition.
153.	Embezzlement by trustee or officer.
154.	Adverse interest and conduct of officers.
155.	Fee agreements in cases under title 11 and receiverships.

AMENDMENTS

1978—Pub. L. 95-598, title III, § 314(b)(2), (d)(3), (e)(3), (f)(3), Nov. 6, 1978, 92 Stat. 2677, substituted in item 151 "Definition" for "Definitions"; struck from item 153 "receiver" following "trustee" and from item 154 "referees and other" preceding "officers"; and substituted in item 155 "cases under title 11 and receiverships" for "bankruptcy proceedings".

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 3057 of this title; title 11 section 104.

§ 151. Definition

As used in this chapter, the term "debtor" means a debtor concerning whom a petition has been filed under title 11.

(As amended Nov. 6, 1978, Pub. L. 95-598, title III, § 314(b)(1), 92 Stat. 2676.)

AMENDMENTS

1978—Pub. L. 95-598 substituted "Definition" for "Definitions" in section catchline and definition of "debtor" as a debtor concerning whom a petition has been filed under title 11 for definition of "bankrupt" as a debtor by or against whom a petition has been filed under title 11 and struck out definition of "bankruptcy" as including any proceeding, arrangement, or plan pursuant to title 11.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(a) of Pub. L. 95-598, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

§ 152. Concealment of assets; false oaths and claims; bribery

Whoever knowingly and fraudulently conceals from a custodian, trustee, marshal, or other officer of the court charged with the control or custody of property, or from creditors in any case under title 11, any property belonging to the estate of a debtor; or

Whoever knowingly and fraudulently makes a false oath or account in or in relation to any case under title 11; or

Whoever knowingly and fraudulently makes a false declaration, certificate, verification, or statement under penalty or¹ perjury as permitted under section 1746 of title 28, United States Code, in or in relation to any case under title 11; or

Whoever knowingly and fraudulently presents any false claim for proof against the estate of a debtor, or uses any such claim in any case under title 11, personally, or by agent, proxy, or attorney, or as agent, proxy, or attorney; or

Whoever knowingly and fraudulently receives any material amount of property from a debtor after the filing of a case under title 11, with intent to defeat the provisions of title 11; or

Whoever knowingly and fraudulently gives, offers, receives or attempts to obtain any money or property, remuneration, compensation, reward, advantage, or promise thereof, for acting or forbearing to act in any case under title 11; or

Whoever, either individually or as an agent or officer of any person or corporation, in contemplation of a case under title 11 by or against him or any other person or corporation, or with intent to defeat the provisions of title 11, knowingly and fraudulently transfers or conceals any of his property or the property of such other person or corporation; or

Whoever, after the filing of a case under title 11 or in contemplation thereof, knowingly and

fraudulently conceals, destroys, mutilates, falsifies, or makes a false entry in any recorded information, including books, documents, records, and papers, relating to the property or financial affairs of a debtor; or

Whoever, after the filing of a case under title 11, knowingly and fraudulently withholds from a custodian, trustee, marshal, or other officer of the court entitled to its possession, any recorded information, including books, documents, records, and papers, relating to the property or financial affairs of a debtor.

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

(As amended Nov. 6, 1978, Pub. L. 95-598, title III, § 314(a), (c), 92 Stat. 2676, 2677.)

AMENDMENTS

1978—Pub. L. 95-598 substituted, wherever appearing, "debtor" for "bankrupt", "case under title 11" for "bankruptcy proceeding", and "provisions of title 11" for "bankruptcy law"; and substituted "a custodian" for "the receiver, custodian", wherever appearing, and "recorded information, including books, documents, records, and papers, relating to the property or financial affairs" for "document affecting or relating to the property or affairs", in two places.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(a) of Pub. L. 95-598, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

§ 153. Embezzlement by trustee or officer

Whoever knowingly and fraudulently appropriates to his own use, embezzles, spends, or transfers any property or secretes or destroys any document belonging to the estate of a debtor which came into his charge as trustee, custodian, marshal, or other officer of the court, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

(As amended Nov. 6, 1978, Pub. L. 95-598, title III, § 314(a)(1), (d)(1), (2), 92 Stat. 2676, 2677.)

AMENDMENTS

1978—Pub. L. 95-598 struck out from heading "receiver" following "trustee" and in text struck out "receiver," preceding "custodian" and substituted "debtor" for "bankrupt".

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(a) of Pub. L. 95-598, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

§ 154. Adverse interest and conduct of officers

Whoever, being a custodian, trustee, marshal, or other officer of the court, knowingly purchases, directly or indirectly, any property of the estate of which he is such officer in a case under title 11; or

Whoever being such officer, knowingly refuses to permit a reasonable opportunity for the inspection of the documents and accounts relating to the affairs of estates in his charge by parties in interest when directed by the court to do so—

¹So in original. Probably should be "of".

Shall be fined not more than \$500, and shall forfeit his office, which shall thereupon become vacant.

(As amended Nov. 6, 1978, Pub. L. 95-598, title III, § 314(a)(2), (e)(1), (2), 92 Stat. 2676, 2677.)

AMENDMENTS

1978—Pub. L. 95-598 struck out from section heading "referees and other" preceding "officers", and struck out from text "Whoever knowingly acts as a referee in a case in which he is directly or indirectly interested; or" preceding "Whoever, being a" and "referee, receiver," preceding "custodian" and substituted "case under title 11" for "bankruptcy proceeding".

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(a) of Pub. L. 95-598, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

§ 155. Fee agreements in cases under title 11 and receiverships

Whoever, being a party in interest, whether as a debtor, creditor, receiver, trustee or representative of any of them, or attorney for any such party in interest, in any receivership or case under title 11 in any United States court or under its supervision, knowingly and fraudulently enters into any agreement, express or implied, with another such party in interest or attorney for another such party in interest, for the purpose of fixing the fees or other compensation to be paid to any party in interest or to any attorney for any party in interest for services rendered in connection therewith, from the assets of the estate, shall be fined not more than \$5,000 or imprisoned not more than one year, or both.

(As amended Nov. 6, 1978, Pub. L. 95-598, title III, § 314(f)(1), (2), 92 Stat. 2677.)

AMENDMENTS

1978—Pub. L. 95-598 substituted in the heading "cases under title 11 and receiverships" for "bankruptcy proceedings" and in the text "or case under title 11" for "bankruptcy or reorganization proceeding", inserted "knowingly and fraudulently" following "supervision," and deleted penalty provision for a judge of a United States court to knowingly approve the payment of any fees or compensation that were fixed.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(a) of Pub. L. 95-598, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

CHAPTER 11—BRIBERY, GRAFT, AND CONFLICTS OF INTEREST

Sec.
207. Disqualification of former officers and employees; disqualification of partners of current officers and employees.

AMENDMENTS

1978—Pub. L. 95-521, title V, § 501(b), Oct. 26, 1978, 92 Stat. 1867, in item 207 struck out "in matters connected with former duties or official responsibilities" following "officers and employees" and inserted "of current officers and employees" following "partners of".

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 15 sections 1942, 2625; title 22 section 3622; title 43 section 1817.

§ 201. Bribery of public officials and witnesses

EX. ORD. NO. 11222. STANDARDS OF ETHICAL CONDUCT FOR GOVERNMENT OFFICERS AND EMPLOYEES

Ex. Ord. No. 11222, May 8, 1965, 30 F.R. 6469, as amended by Ex. Ord. No. 11590, Apr. 23, 1971, 36 F.R. 7831; Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, provided:

[See main edition for text of first par. and Part I]

PART II—STANDARDS OF CONDUCT

SECTION 201. (a) Except in accordance with regulations issued pursuant to subsection (b) of this section, no employee shall solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from any person, corporation, or group which—

[See main edition for text of (1) to (3)]

(b) Agency heads are authorized to issue regulations, coordinated and approved by the Office of Personnel Management, implementing the provisions of subsection (a) of this section and to provide for such exceptions therein as may be necessary and appropriate in view of the nature of their agency's work and the duties and responsibilities of their employees. For example, it may be appropriate to provide exceptions (1) governing obvious family or personal relationships where the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors—the clearest illustration being the parents, children or spouses of federal employees; (2) permitting acceptance of food and refreshments available in the ordinary course of a luncheon or dinner or other meeting or on inspection tours where an employee may properly be in attendance; or (3) permitting acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans. This section shall be effective upon issuance of such regulations.

[See main edition for text of (c)]

SEC. 202. An employee shall not engage in any outside employment, including teaching, lecturing, or writing, which might result in a conflict, or an apparent conflict, between the private interests of the employee and his official government duties and responsibilities, although such teaching, lecturing, and writing by employees are generally to be encouraged so long as the laws, the provisions of this order, and Office of Personnel Management and agency regulations covering conflict of interest and outside employment are observed.

[See main edition for text of Secs. 203 to 206; Part III]

PART IV—REPORTING OF FINANCIAL INTERESTS

SECTION 401. (a) Not later than ninety days after the date of this order, the head of each agency, each Presidential appointee in the Executive Office of the President who is not subordinate to the head of an agency in that Office, and each full-time member of a committee, board, or commission appointed by the President, shall submit to the Director of the Office of Personnel Management a statement containing the following:

[See main edition for text of (1) to (3); (b) and (c)]

SEC. 402. The Office of Personnel Management shall prescribe regulations, not inconsistent with this part, to require the submission of statements of financial in-